

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24<sup>th</sup> day of October, two thousand and seventeen.

Before: Dennis Jacobs,  
Robert D. Sack,  
Barrington D. Parker,  
*Circuit Judges.*

In Re: Elaine C. Duke, Acting Secretary of Homeland Security,

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Elaine C. Duke, Acting Secretary of Homeland Security,  
Jefferson B. Sessions III, United States Attorney General,  
Donald J. Trump, President of the United States, United States  
Citizenship and Immigration Services, United States Immigration  
and Customs Enforcement, United States of America,

*Petitioners,*

**ORDER**  
Docket No. 17-3345

v.

Martin Jonathan Batalla Vidal, Make the Road New York,  
Antonio Alarcon, Eliana Fernandez, Carlos Vargas, Mariano  
Mondragon, Carolina Fung Feng, on behalf of themselves and all  
other similarly situated individuals, State of New York, State of  
Massachusetts, State of Washington, State of Connecticut, State  
of Delaware, District of Columbia, State of Hawaii, State of  
Illinois, State of Iowa, State of New Mexico, State of North  
Carolina, State of Oregon, State of Pennsylvania, State of Rhode  
Island, State of Vermont, State of Virginia, State of Colorado,

*Respondents.*

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The stay entered on Friday, October 20, 2017 pending this hearing today by a three-judge panel is hereby extended until determination of the mandamus petition filed Monday, October 23, 2017. Resolution of the mandamus petition is deferred until such time as the district court has considered and decided expeditiously issues of jurisdiction and justiciability. Response briefs on the mandamus petition may be filed promptly. The filing of any other or further briefs is deferred until further notice.

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  


For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
